

DOCKET FILE COPY ORIGINAL

RECEIVED

Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

JAN 29 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Implementation of Sections of
the Cable Television Consumer
Protection and Competition Act
of 1992)

Rate Regulation)

MM Docket 92-266

RECEIVED

JAN 29 1993

FCC - MAIL ROOM

ERRATA
AND CORRECTION

TO COMMENTS SUBMITTED ON JAN. 27, 1993

BY THE CITY OF THOUSAND OAKS, CALIFORNIA

This is to advise the Commission that, in reviewing its submission as described above, the City discovered that two charts, included as part of the submission, were unproofed, earlier versions, and not the final charts the City intended to be included as part of its comments.

Accordingly, the City hereby submits two corrected pages which contain the corrections to the errata noted above.

With apologies for any inconvenience the above request may cause the Commission, the City of Thousand Oaks would very much appreciate the Commission replacing the original two pages of the City's comments, with the corrected copies attached herewith.

CITY OF THOUSAND OAKS

by:

Caroline Raposo-Milton

Caroline J. Raposo-Milton
Management Assistant

Attachments

No. of Copies rec'd
List A B C D E

049

**Comparison of Basic and Expanded Basic
Rates* per Channel for Thousand Oaks Subscribers**

<u>Cable Provider</u>	<u>Rate for Basic Tier</u>	<u>Cost per Channel</u>	<u>Rate for Standard or Expanded Basic** Tier</u>	<u>Cost per Channel</u>
	\$13.60		\$21.50***	
VCC	(15**** Channels)	90.6 ¢ each	(30 Channels)	71.6¢ each
	\$16.28		\$20.28	
Falcon	(17 Channels)	95.7¢ each	(31 Channels)	65¢ each

Notes: * Rates shown above do not include franchise and/or copyright fees.

** Expanded Basic refers to a tier including broadcast channels and non-premium cable (satellite) programming services.

*** Rate, effective April 1, 1993, represents an eleven percent increase during the past 12 months, from \$19.37 to \$21.50. The company has also increased its basic rate by five percent from \$12.95 to \$13.60.

****One of VCC's basic tier channels, Channel 3, is now being used several hours per day to air commercials for the operator's pay-per-view movie service. Although KEYT's signal is subject to network non-duplication blackouts required by KABC-TV, Los Angeles, VCC's elected to further limit availability of KEYT in Thousand Oaks by using Channel 3 to air pay-movie promotions. These promotions sometimes block a portion of KEYT's original programming, which is not duplicated by KABC. A number of subscribers have complained to the City about the continued erosion of KEYT's signal. To date, the operator has refused requests from the Citizens' Advisory Cable TV Issues Committee and the City Council to remove pay-per-view commercials from the basic tier.

If Channel 3, now being used by VCC to air pay-per-view movie promotions is discounted as a basic tier source of entertainment, news and information, on the basic tier, subscribers are left with only 14 channels; at a pro-rata cost (based on rate effective April 1, 1993) of 92.5¢ each, compared with a 71.6¢ per channel cost for "expanded basic" subscribers.

In addition, in a "classic" cable market such as Thousand Oaks, subscribers may purchase cable television solely as a means to obtain over-the-air broadcast channels otherwise unobtainable due to the City's topographical restraints.

The City believes that such subscribers — already placed at an economic disadvantage by having to buy cable TV to receive broadcast channels — should not be further penalized by paying more per channel, than subscribers

Thousand Oaks Cable Rate History
(Since Rate Deregulation; Effective Date: Jan. 1, 1986)

	<u>Standard</u> (Expanded Basic)** <u>Service</u>	<u>Percent of</u> <u>Change</u>	<u>Other Tiers</u> <u>Available</u>	<u>Premium</u> <u>Channels</u>
<u>VCC (Storer)</u>				
1/1/86	\$9.90 (12 Channels)	N A	None.	\$15.60 & Up
5/1/87	14.00 (22 Channels)	+ 41 percent	"Economy" service (12 channels) at \$11.00.	\$10.95 & Up
7/1/88	14.95 (29 Channels)	+ 6.7 percent	None.	\$14.00 & Up
7/1/89	15.95 "	+ 6.7 percent	None.	\$11.95 first + \$2; \$9.95 each add'l.
7/1/90	16.90 (36 Channels)	+ 6.7 percent	"Broadcast" service (15 channels) at \$12.95.	No Change
6/1/91	17.95 "	+ 6 percent	"Broadcast" service (15 channels) at 12.95.	"
5/1/92	19.37 "	+ 8 percent	"Broadcast" service (15 channels) at 12.95.	"
4/1/93	21.50 "	+ 11 percent	"Broadcast" service 15 channels) at 13.60 (Note: + 5 percent).	\$10.95 (HBO) + \$2; others \$9.95 + \$2
1/86 — 4/93		117% Increase		
<u>Falcon (CCTV)</u>				
3/1/86	11.75 (25 Channels)	N A		\$11.95 HBO, TMC; \$9.95 Disney
7/15/90	16.95 (32 Channels)	+ 44 percent	"Broadcast" service (17 channels) at \$13.95.	\$10.00 Each
7/1/91	18.50 (35 Channels)	+ 9 percent	"Broadcast" service (17 channels) at \$15.50.	"
1/1/93	20.28 (35 Channels)	+ 5 percent	"Broadcast" service (17 channels) at \$16.28.	"

3/86 — 1/93 **75.8 % Increase**

*Note: The first column shows "Standard" or "Expanded Basic" Tier prices; these tiers include both broadcast and satellite channels. Column three headed, "Other Tiers Available," shows when the operator offered more than one tier. Note that, for VCC, tiering options fluctuated between 1986 and 1990.